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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Scott Gray
Serial No.: 09/934,016
Filed: 08/20/2001
For: Medical Port for an Emergency Safety Resuscitator
Confirmation No.: 7568
Group Art Unit: 3771
Examiner: Amadeus Sebastian Lopez
Customer No.: 31198
Attorney Docket No.: PGRACT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT (37 CFR § 1.181(a))

Applicant hereby petitions, pursuant to 37 CFR § 1.181 (a), that the holding of abandonment for the present application be withdrawn.

As explained in the accompanying notarized Statement from Practitioner in Support of Petition to Withdraw Holding of Abandonment, Applicant's attorney did not receive the Office Action mailed on April 21, 2006; and a search of the file jacket and docket records for the present application indicates that the Office communication was not received. Attached to the Statement from Practitioner is a copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed. The copy of the docket report shows, *inter alia*, all replies docketed for a date three months from the mail date of

the nonreceived Office action; and the nonreceived Office action set a three-month period for reply.

Consequently, Applicant respectfully requests that the holding of abandonment for the present application be withdrawn.

DATED this 29th day of December, 2006.

Thompson E. Fehr
Thompson E. Fehr
Attorney for Petitioner
Fehr Law Firm
Suite 300
Goldenwest Corporate Center
5025 Adams Avenue
Ogden, Utah 84403

Reg. No. 31,353
Telephone: 801-393-6292



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EXPRESS MAIL CERTIFICATE

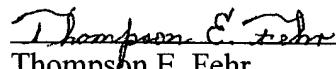
Express Mail Label No. EQ733358320US

Date of Deposit: December 29, 2006

I hereby certify that the following attached

Petition to Withdraw Holding of Abandonment (37 CFR § 1.181(a))

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Thompson E. Fehr



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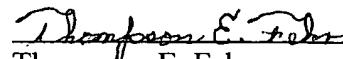
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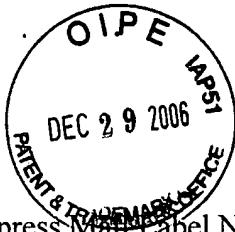
Date of Deposit: December 29, 2006

I hereby certify that the following attached

Statement in Support of Petition to Withdraw Holding of Abandonment (37 CFR § 1.181(a))

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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**STATEMENT FROM PRACTITIONER IN SUPPORT OF
PETITION TO WITHDRAW HOLDING OF ABANDONMENT (37 CFR § 1.181(a))**

State of Utah)
: ss.
County of Weber)

I, THOMPSON E. FEHR, being first duly sworn on oath, depose and state as follows:

I did not receive the Office Action mailed on April 21, 2006.

I searched the file jacket and docket records for present application; this search indicates that the Office communication was not received.

Attached hereto is a copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed. The copy of the docket report shows, *inter alia*, all replies docketed for a date three months from the mail date of

the nonreceived Office action; and the nonreceived Office action set a three-month period for reply.

DATED this 29th day of December, 2006.

Thompson E. Fehr
Thompson E. Fehr
Attorney for Applicant
Suite 703
The Aerospace Center
1104 Country Hills Drive
Ogden, Utah 84403

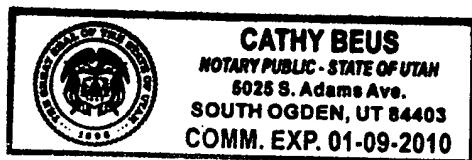
Reg. No. 31,353
Telephone: (801) 393-6292

STATE OF UTAH)
: ss.
County of Weber)

THOMPSON E. FEHR, being first duly sworn on oath, deposes and says: That he has read the foregoing Statement from Practitioner in Support of Petition to Withdraw Holding of Abandonment (37 CFR § 1.181(a)); that he knows and understands the contents thereof; and that the same are true of his own knowledge, except as to those matters stated on information and belief; and as to such matter, he believes them to be true.

Thompson E. Fehr
Thompson E. Fehr

Subscribed and sworn to before me this 29th day of December, 2006.



Cathy Beus
Cathy Beus
NOTARY PUBLIC



Due Dates	07/19/06		
Client Name	Docket#	Due Date	\$ Due Date \$
John Stockton	PSTVBP	8/6/2005	request extension
Lundahl	Poly Dim lawsuit	10/1/2005	
Kelatron	PKELAM	1/3/2006	
Doug Beplate	PBEPNB	1/10/2006	Request technical Examination
Steve Hoggan	PHOGT	1/15/2006	File Missing Parts
Paul Budge	PBUDPL	1/26/2006	Notice of Abandonment
Doug Beplate	PBEPNA	2/10/2006	Duty of Disclosure
William Pratt	PPRATW	2/10/2006	
Doug Beplate	PBEPNIS	2/17/2006	Duty of Disclosure
Doug Beplate	PBEPNJ	2/20/2006	Reduce Claims
Rich Porter	Litigation	3/7/2006	Letter to Rich
Tom Lucas		3/8/2006	
Alan Applonie	Lawsuit	3/21/2006	Dismissal of lawsuit
Transonic	Lawsuit	3/21/2006	Dismissal of lawsuit
Troy Pribbanow	PPRIGC	3/21/2006	Resp to Ex Ans of rejection sustained
Brett Siddoway	PSSID-C-B	4/2/2006	
Pat Hoggan	PHOGB	4/6/2006	
Doug Beplate	PBEPHN	4/10/2006	
Judine Uriona	Lawsuit	4/12/2006	Title Report
William Pratt	PRAIWP	4/21/2006	Letter to Bill
Boman & Kemp	PBOOKER	4/27/2006	
Kaleb Galbraith	TGALME	5/3/2006	Office Action
Adam Brandley	PBRANAMS	5/6/2006	Maintenance Fee
Duane Giles	PGILBC	5/6/2006	
Pat Hoggan	PHOGNP-D	5/6/2006	
Pat Hoggan	PHOGPP-D	5/6/2006	
Clark Gates	PGATEC-EB	5/9/2006	File application
Doug Beplate	PBEPNC	5/12/2006	Small Entity Status
Scott Andrews	Lawsuit	5/17/2006	Contact Ford Scalley
Steve Larsen	PCT	5/17/2006	Copies to Junpei Okada
Jo Ann Parker	PPARKJ-GCB	5/23/2006	Missing Parts
Doug Beplate	PBEPNCH	5/24/2006	Voluntary Amendments
Canal/Trease	Lawsuit	5/30/2006	
S&S	PSSIL-EPO	6/2/2006	Renewal
Kevin Taylor	PTAYKC	6/5/2006	
Scott Douglas	PDOUGS	6/20/2006	File Missing Parts
Ralph Norman	PNORMD	6/20/2006	
Barney Auman		6/20/2006	
Kelatron	PKELAC	6/21/2006	
Tri Custom	PHOGT	6/23/2006	Power of Attorney/Declaration
Del Gray	PGRADG	6/24/2006	Notice of Abandon/File missing parts
Steve Larsen	PLARSS-PCT-J	6/29/2006	Letter to Steve re Request 4 Examination
William Pratt	PRAIWP	7/4/2006	
Larry Simpson	PSIMPL-TSL	7/7/2006	Letter to Larry
Bill Ganswich	PGANSB	7/11/2006	
S&S	PCHERP-J	7/12/2006	
Doug Beplate	PBEPNT	7/14/2006	Reduce Maint Fee/Signed Declaration
USU	Fehr vs USU	7/17/2006	Interrogatories
Doug Beplate	PBEPNNZ	7/21/2006	
Jerry Losee	PLOSEJ	7/24/2006	
Jerry Losee	PLOSJS	7/24/2006	
Ryan Hoth	PHOTRC	7/30/2006	Letter to Ryan
Ralph Norman	PNORMH-NZ	7/31/2006	
Bill Bolick	PBOLIWC	8/2/2006	Revival of abandonment/correct brief
Ken Gardner	PGARDK-S	8/3/2006	Office Action Response
Clark Gates	PGATEC-EB-0	8/7/2006	Missing Parts
Steve Larsen	PLARSS-PCT-J	8/9/2006	Request for Examination
Del Gray	PGRAD C	8/10/2006	
Chris Sorensen	PSOREC-PTH	8/18/2006	
Jeremy Jenkins	PJENKJ	9/8/2006	Maintenance
John Stockton	PSTOJV-PCT-B	9/10/2006	
John Stockton	PSTOJV-PCT-C	9/10/2006	
Larry Simpson	PSIMPL-TSL	9/15/2006	Issue Fees Due
Ryan Hoth	PHOTRC	9/27/2006	Response to claim rejections
Dennis Spiers	PSPIDL-CAN	9/27/2006	Maintenance Canada
Paul Budge	PBUDPL	10/11/2006	
Sharon Tarnutzer	TANK-BMU	10/25/2006	Statement of Use